

Message Text

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43

ACTION ARA-10

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FM AMEMBASSY PORT AU PRINCE

TO SECSTATE WASHDC 3040

LIMITED OFFICIAL USE PORT AU PRINCE 2683

EO 11652 N/A

TAGS: SHUM, PINS, HA

SUBJECT: PRESIDENT ORDERS RELEASE OF 261 PRISONERS

REF: (A) PORT AU PRINCE 2652, (B) PORT AU PRINCE 2663

1. HAITIAN PRESS PUBLISHED SEPTEMBER 29 THE NAMES OF 261 PRISONERS ORDERED RELEASED BY PRESIDENT DUVALIER. RELEASE ORDER WAS DIRECT RESULT OF PRESIDENT'S SEPTEMBER 17 INSPECTION VISIT TO NATIONAL PENITENTIARY. ACCORDING TO PRESS, ALL OF THOSE RELEASED "HAD SUFFERED TOO LONG A PREVENTIVE DETENTION" WITHOUT BEING BROUGHT BEFORE THE ORGANS OF JUSTICE. NO CHARGES WILL BE BROUGHT AGAINST THE PRISONERS RELEASED AND THE MINISTRY OF JUSTICE HAS BEEN ORDERED TO PRESENT THE CASES OF ALL REMAINING PERSONS HELD FOR MISDEMEANORS AND CRIMES AT THE NEXT CRIMINAL ASSIZES.

2. THE OVERWHELMING MAJORITY OF THOSE RELEASED APPEAR TO HAVE BEEN NON-POLITICAL PRISONERS. COMPARISON OF LIST WITH EMBASSY FILES TURNED UP ONLY TWO INDIVIDUALS WHO ARE PROBABLE POLITICAL PRISONERS: FORMER NATIONAL ASSEMBLY DEPUTIES LE SAGE CHERY AND GARBIEL AUGUSTIN, BOTH OF WHOM WERE IMPLICATED IN THE "COAST GUARD MUTINY" OF APRIL 1970. THE LIST ALSO INCLUDES THE NAME OF LEON JEAN. A FORMER NATIONAL ASSEMBLY DEPUTY OF THAT NAME WAS ARRESTED LATE AUGUST 1972 BUT WE HAVE NO EVIDENCE THAT THE PERSON RELEASED IS THE SAME MAN. THE ONLY OTHER POTENTIAL

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POLITICAL PRISONER -- BASED ON OUR FILES -- IS GERARD

JOSEPH WHO WAS IDENTIFIED IN 1965 AS A LEADER OF THE SEAMAN'S AND LONGSHOREMAN'S UNION. BUT AGAIN, AS IN CASE OF JEAN, THE RELEASED PRISONER MAY BE ANOTHER MAN WITH THE SAME NAME. COMPLETE LIST WILL BE SUBMITTED BY AIRGRAM.

3. COUPLED WITH HIS RELEASE OF THE PRISONERS, PRESIDENT DUVALIER RENEWED HIS INSTRUCTIONS TO THE MINISTRY OF JUSTICE TO BRING ALL PERSONS ARRESTED PROMPTLY BEFORE THE CRIMINAL ASSIZES. IN A SUBSEQUENT PRESS INTERVIEW JUSTICE MINISTER AURELIEN JEANTY NOTED THAT THE MINISTRY'S BUDGET HAD BEEN INCREASED AND THAT THE NEW RESOURCES WOULD HELP TO ASSURE THE FAIR DISTRIBUTION OF JUSTICE BY IMPROVING THE SALARIS AND WORKING CONDITIONS OF MAGISTRATES AND COURT EMPLOYEES, AS WELL AS PROVIDING SORELY NEEDED OFFICE EQUIPMENT AND FURNITURE.

4. COMMENT: THIS LATEST RELEASE OF PRISONERS IS THE LARGST EVER DECREED BY JEAN-CLAUDE DUAVLIER. ALTHOUGH HIS UNPRECEDENTED VISIT TO THE PENITENTIARY MAY NOT BE MOST SYSTEMATIC WAY TO INVESTIGATE STATUS OF HAITIAN PRISONERS, WE THINK IT IS SYMPTOMATIC OF GENUINE INTEREST OF PRESIDENT IN IMPROVING BOTH THE EFFICIENCY AND REPUTATION OF HIS GOVERNMENT. ISHAM

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